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Tarrant County Texas

2009 Mar 27 08:00 AM

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D209081952*Suzanne Henderson*

Submitter: SIMPLIFILE

2 Pages

Suzanne Henderson

**AMENDMENT TO OIL AND GAS LEASE
(To Correct Land Description)**

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: Your social security number or your driver's license number.

STATE OF TEXAS**COUNTY OF TARRANT**

LESSOR: Don Paul Smith and wife, Deborah L. Smith
561 Windsor Lane
Springtown, Texas 76082

LESSEE: Finley Resources, Inc.
1308 Lake Street
Fort Worth, Texas 76102

Effective Date: December 11, 2005

Lessee, named above, and XTO Energy Inc., are the present owners of an Oil and Gas Lease (the "Lease"), dated December 11, 2005, from Lessor, named above, which Lease is recorded in D206020261 of the Official Public Records of the county and state named above. Finley Resources, Inc. made a partial assignment of this lease to XTO Energy Inc. in Partial Assignment of Oil, Gas and Mineral Leases dated April 29, 2008, recorded in Instrument Number D208170280, Official Public Records of the county and state named above.

At the time the Lease was entered into, the description of the lands contained in the Lease was believed by Lessor and Lessee to cover, and was intended by them to cover, certain lands owned by Lessor.

Since the execution, delivery, and recording of the Lease, it has been discovered that the description of lands contained in the Lease does not adequately describe the lands Lessor and Lessee intended to be covered by the Lease. Lessor and Lessee desire to amend and correct the description of the lands contained in the Lease to accurately identify the lands to be covered by and subject to the terms of the Lease.

For adequate consideration, and the further consideration of the obligations and agreements contained in the Lease, Lessor acknowledges and agrees that the Lease shall cover, and the Lease is amended, so that it now covers the following lands in the county and state named above:

Being all of Lot 12R, Block 1, Lake Worth Leases, an addition to the City of Fort Worth, Tarrant County, Texas, as shown by plat thereof recorded at Cabinet A, Slide 5516, Plat Records of Tarrant County, Texas, containing 0.6603 acres, more or less.

Lessor ratifies, adopts, and confirms the Lease and extends the Lease to cover the lands described in this Amendment as if the description of lands set out above had been originally included in the Lease. Lessor grants, leases, and lets to Lessee, its successors and assigns, the lands described in this Amendment for the purposes of and on the terms, conditions, and provisions contained in the Lease.

This Amendment shall be binding for all purposes on Lessor and Lessor's successors, heirs and assigns.

This Amendment is signed by Lessor and Lessee as of the date of the acknowledgment of their signatures below, but is effective for all purposes as of the Effective Date stated above.

LESSOR

Don Paul Smith

*Don Paul Smith***Deborah L. Smith**

Deborah L. Smith

D209081952

CURRENT LESSEE:

Finley Resources, Inc.

By: C.H.K

Printed Name: Clinton H. Koerth

VP of Land & Acquisition

Title: _____

CURRENT LESSEE:

XTO Energy Inc.

By: Edwin S. Ryan Jr. JST

Printed Name: EDWIN S. RYAN JR.

Title: Sr. VICE PRESIDENT-LAND ADMINISTRATION

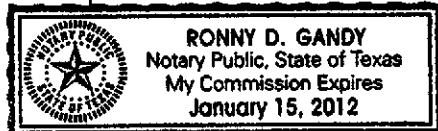
THE STATE OF TEXAS

COUNTY OF Hutchinson

Before me, the undersigned authority, on this day personally appeared Don Paul Smith and wife, Deborah L. Smith, known to me to be the identical person whose names subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 19 day of
March, 2009.

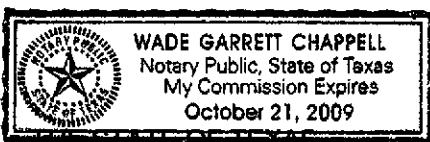
Ronny D. Gandy
Notary Public, State of Texas



THE STATE OF TEXAS

COUNTY OF TARRANT

This instrument was acknowledged before me on the 25 day of
March, 2009, by Clinton Koerth,
Vice President of FINLEY RESOURCES, INC., on behalf of said corporation.

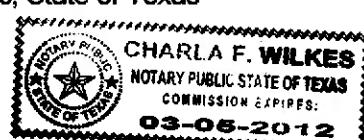


Wade G. Chappell
Notary Public, State of Texas

COUNTY OF TARRANT

This instrument was acknowledged before me on the 26 day of
March, 2009, by Edwin S. Ryan, Jr.,
Sr. VP Land Administration of XTO ENERGY INC., on behalf of said corporation.

Charla F. Wilkes
Notary Public, State of Texas



Return To:

Kim Hawks
9104 Bluegrass Dr.
Austin, TX 78759